

**FISCAL NOTE**  
**SB 2576 - HB 2679**

February 12, 2000

**SUMMARY OF BILL:** Revises present law provisions on zero tolerance to provide that it is the legislative intent that any school rule or policy designated as a zero tolerance policy means that violations of that rule or policy will not be tolerated and that violators receive certain, swift and reasoned punishment. A zero tolerance violation would not automatically result in a presumptive one calendar year expulsion except in the following circumstances:

1. A pupil brings to school or possesses on school property a firearm;
2. A student commits battery upon any teacher, principal, administrator or other employee of a local education agency;
3. A student unlawfully possesses any drug including any controlled substance as defined under this state's criminal law.

The bill clarifies that it is the legislative intent that local school boards retain responsibility for developing disciplinary policies and student codes of conduct.

Local school boards must have assurance that students are afforded fair due process procedures. Nothing in the bill would prohibit assignment to alternative school for those students under suspension or expulsion for the above violations. Nothing in the bill would alter, diminish or supersede the superintendent's authority to modify expulsion on a case by case basis for one of the above violations.

Present law encourages each local and county board of education to include within its policies and procedures a zero tolerance policy toward any student who:

1. Brings a drug, drug paraphernalia or a dangerous weapon onto a school bus, onto school property or to any school event or activity; or
2. While on a school bus, on school property or while attending any school event or activity: (a) is under the influence of a drug; (b) possesses a drug, drug paraphernalia or dangerous weapon; or (c) assaults or threatens to assault a teacher, student or other person.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Govt. Expenditures - Not Significant**

Assumes that:

- the bill would not result in any significant change in the number of students suspended or expelled.
- the intent of the bill could be carried out through existing staff and training procedures, specifically meetings with superintendents and disciplinary hearing officers.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director